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Our File No.: 45220.14

March 20, 2002

Ola Simms, Head
Supervisory Legal Instruments Examiner
Technology Center 1700
U.S. Patent and Trademark Office
Washington, D.C. 20231
U.S.A.

Dear Sirs:

Re: U.S. Application 09/682,778

We are attaching a copy of correspondence received from you with respect to the above application. You have charged \$180.00 in extra claims charges. Our calculations shown that there are 13 extra claims at \$9.00 per claim equalling \$117.00. Where are the extra 7 claims that you charged us for? Please explain where the extra charge of \$63.00 came from.

Thank you for your attention to this matter.

Yours truly,

BENNETT JONES LLP



Edward (Ted) Yoo

ETY/el





UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY OF COMMERCE AND
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Edward Yoo c/o Bennett Jones
1000 ASCO Centre
10035-105 Street
Edmonton, Alberta, AB T5J3T2
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3/11/02

Dear Sir/Madam:

We regret to inform you that your request for refund dated 1/9/02 in the amount of \$ 180.00 covering a fee for application/patent # 09/682778 cannot be authorized. Please refer to the box checked below for more information.

- () Small entity status fee not refundable. The time has expired for refund of this fee. A refund based on establishment of small entity status may only be obtained if a verified statement under 37 CFR 1.27 and a request for refund of the excess amount are filed within two months of timely payment of the full fee (37 CFR 1.28).
- () Application or petition fee not refundable. Money paid by actual mistake or in excess, such as payment not required by law, will be refunded; a mere change of purpose after payment of money, as when a party desires to withdraw an application, an appeal or a request for oral hearing does not entitle the party to a refund (37 CFR 1.26). If any application is filed without the specification or drawing and the omission is not corrected with the period set, the application will be returned or otherwise disposed of. The fee, if submitted should include the \$130.00 handling fee (37 CFR 1.53)

() Other: On 10/19/01 your account was overcharged \$369.00 which was refunded on 11/7/01. On 11/7/01 you were charged \$180. for extra class. The total filing fee for this case is \$690.00

Sincerely,

Ola Simms, Head
Supervisory Legal Instruments Examiner
Technology Center 1700